

Exhibit I

16 messages

JOHN JACKSON <JOHNJ@rae-corp.com>
To: JIM TEMPLE <jim@dententer.com>
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 11:16 AM

Jim,

Attached are the unit drawings for NYU 838 BROADWAY. As soon as you give us the go ahead on the unit drawing, we will start releasing steel and sheet metal to be cut. ~~We made both units the same footprint, which will help decrease the production time.~~ We still have a few minor things to go on the electrical and piping. Let me know if you have any questions, I will get the rest of the drawings to you asap.


Thanks,


John Jackson

Technical Systems

(918) 825-7222

2 attachments

 **89541u1.pdf**
230K

 **89541u2.pdf**
231K

ADAM MEYER <ADAMM@rae-corp.com>**Mon, Oct 29, 2007 at 11:22 AM**

To: JOHN JACKSON <JOHNJ@rae-corp.com>, JIM TEMPLE <jim@dententer.com>

Jim,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

Thanks,

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

From: JOHN JACKSON
Sent: Monday, October 29, 2007 10:16 AM
To: 'JIM TEMPLE'
Cc: ADAM MEYER
Subject: TSI PR89541 NYU 838 BROADWAY

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>
To: JOHN JACKSON <JOHNJ@rae-corp.com>
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:07 PM


why after waiting a month for shop drawings you make drastic changes in the dimensions and don't even have the discharge/intake locations in the correct place.

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>
To: JOHN JACKSON <JOHNJ@rae-corp.com>
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:08 PM

[Quoted text hidden]

 **KMBT25020071029105818.pdf**
197K

JOHN JACKSON <JOHNJ@rae-corp.com>
To: JIM TEMPLE <jim@dententer.com>
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:44 PM


Jim,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

John

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Monday, October 29, 2007 11:07 AM
To: JOHN JACKSON
Cc: ADAM MEYER
Subject: Re: TSI PR89541 NYU 838 BROADWAY

[Quoted text hidden]

 **89541u2.pdf**
172K

JIM TEMPLE <jim@dntenter.com>
To: JOHN JACKSON <JOHNJ@rae-corp.com>

Fri, Nov 9, 2007 at 6:16 PM

john,

could i get the unti drawings as autocad files.

jim

[Quoted text hidden]

JOHN JACKSON <JOHNJ@rae-corp.com>
To: JIM TEMPLE <jim@dntenter.com>

Fri, Nov 9, 2007 at 6:19 PM

Jim,

See attached.

Thanks,
John

john,

could i get the unti drawings as autocad files.

jim

On Oct 29, 2007 11:44 AM, JOHN JACKSON <JOHNJ@rae-corp.com> wrote:

Jim,

We got too focused on making sure everything was going to fit. Attached is the corrected drawing.

John

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Monday, October 29, 2007 11:07 AM
To: JOHN JACKSON
Cc: ADAM MEYER
Subject: Re: TSI PR89541 NYU 838 BROADWAY

why after waiting a month for shop drawings you make drastic changes in the dimensions and don't even have the discharge/intake locations in the correct place.

On 10/29/07, JOHN JACKSON <JOHNJ@rae-corp.com> wrote:

Jim,

Attached are the unit drawings for NYU 838 BROADWAY. As soon as you give us the go ahead on the unit drawing, we will start releasing steel and sheet metal to be cut. ~~We made both units the same footprint, which will help decrease the production time.~~ We still have a few minor things to go on the electrical and piping. Let me know if you have any questions, I will get the rest of the drawings to you asap.

Thanks,

John Jackson

Technical Systems

(918) 825-7222

2 attachments

 **89541u1.dwg**
516K

 **89541u2.dwg**
515K

JIM TEMPLE <jim@dententer.com>

Fri, Nov 9, 2007 at 6:37 PM

To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>

here are the auto cad unit drawings the complete set is coming ASAP

2 attachments

 **89541u1.dwg**

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

~~Team, please see AS-BUILT for the 2nd floor. Please advise if
you have any questions. Thx.~~

Kameron Williams
(Superintendent)
Structuretone
770 Broadway
NY, NY 10003
Cell (917) 584-4406
Fax (212) 991-0283

----- Forwarded by Kameron Williams/STI on 11/13/2007 08:05 AM -----

To
"JIM TEMPLE" "kwilliams@structuretone.com"
<jim@dntenter.com> <kwilliams@structuretone.com>
> cc
Sent by:
jjtemple@gmail.co Subject
m Fwd: TSI PR89541 NYU 838 BROADWAY

11/09/2007 05:37
PM

here are the auto cad unit drawings the complete set is coming ASAP(See
attached file: 89541u1.dwg)(See attached file: 89541u2.dwg)

2 attachments

89541u1.dwg

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

JIM TEMPLE <jim@dententer.com>

Tue, Nov 20, 2007 at 6:45 PM

To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>

Cc: frank_aviles@gensler.com, patrick_mcdonough@gensler.com, emccune@fmcassociates.com, bfornci@fmcassociates.com, kshook@ceramiassociates.com, DRogers@structuretone.com

attached are the complete package as built drawings including wiring

no changes, just more detail

[Quoted text hidden]



89541 Submittal 11-16-07.pdf
3729K

DRogers@structuretone.com <DRogers@structuretone.com>

Tue, Nov 20, 2007 at 6:47 PM

To: JIM TEMPLE <jim@dententer.com>

Thank you.

Dawn H. Rogers

Structuretone

Mobile 917.671.7369

Office 212.251.9463

Fax. 212.894.3595

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Mon, Dec 3, 2007 at 2:59 PM

To: KPENDER@intersmech.com

----- Forwarded message -----

From: JIM TEMPLE <jim@dententer.com>

[Quoted text hidden]

[Quoted text hidden]



89541 Submittal 11-16-07.pdf
3729K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Mon, Dec 3, 2007 at 2:59 PM

To: jjtemple@gmail.com

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

exist

Received: by 10.100.240.18 with SMTP id n18mr5987472anh.1196708362744;

Mon, 03 Dec 2007 10:59:22 -0800 (PST)

Received: by 10.90.83.16 with HTTP; Mon, 3 Dec 2007 10:59:21 -0800 (PST)

Message-ID: <af8bab3e0712031059s7f9e1599yc01fcc9642b9fe86@mail.gmail.com>

Date: Mon, 3 Dec 2007 13:59:21 -0500

From: "JIM TEMPLE" <jim@dententer.com>

Sender: jjtemple@gmail.com

To: KPENDER@INTERSMECH.COM

Subject: Fwd: Fw: TSI PR89541 NYU 838 BROADWAY

In-Reply-To: <af8bab3e0711201445w6d099bd9k9171d7d7ec2d0a30@mail.gmail.com>

MIME-Version: 1.0

Content-Type: multipart/mixed;

boundary="-----_Part_16475_28746316.1196708362345"

References: <OF4AF829FA.A19E9F53-ON85257392.0047E9DB-85257392.00481C9E@structuretone.com>

<af8bab3e0711201445w6d099bd9k9171d7d7ec2d0a30@mail.gmail.com>

X-Google-Sender-Auth: ea93db7298d012d2

-----=_Part_16475_28746316.1196708362345

Content-Type: multipart/alternative;

boundary="-----_Part_16476_14401423.1196708362345"

-----=_Part_16476_14401423.1196708362345

Content-Type: text/plain; charset=ISO-8859-1

Content-Transfer-Encoding: 7bit

Content-Disposition: inline

----- Forwarded message -----

----- Message truncated -----

JIM TEMPLE <jim@dententer.com>

To: Keri Pinder <kpinder@intersmech.com>

Mon, Dec 3, 2007 at 3:00 PM

----- Forwarded message -----

From: **JIM TEMPLE** <jim@dententer.com>

Date: Nov 20, 2007 5:45 PM

Subject: Re: Fw: TSI PR89541 NYU 838 BROADWAY

To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>

Cc: frank_aviles@gensler.com, patrick_mcdonough@gensler.com, emccune@fmcassociates.com, bfornci@fmcassociates.com, kshook@ceramiassociates.com, DRogers@structuretone.com

[Quoted text hidden]



89541 Submittal 11-16-07.pdf

3729K

JOHN JACKSON <JOHNJ@rae-corp.com>
To: JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 12:05 PM

Jim,

I just wanted to touch bases with you on the AHU drawings. Manufacturing is ready to go as soon as you approve. Let me know if you need anything.

Thanks,
John Jackson

TSI

JIM TEMPLE <jim@dententer.com>
To: JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 12:07 PM

where are the rest of the drawings?

[Quoted text hidden]

JOHN JACKSON <JOHNJ@rae-corp.com>
To: JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 12:14 PM

I've got a short list of revisions being made. I will check on them. Right now, the approval of the [REDACTED] drawings is imperative to keeping on schedule. Releasing the [REDACTED] is critical as to preventing delays in the ship date.

John Jackson

TSI

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 11:08 AM
To: JOHN JACKSON
Subject: Re: TSI PR89541

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 12:17 PM

To: JOHN JACKSON <JOHNJ@rae-corp.com>, ADAM MEYER <ADAMM@rae-corp.com>

this is extremely unfair. the ship date of 11-26 has always been critical; you guys change the dimensions by ~~120~~, 4 weeks after release, and need an answer immediately or the order is late and our fault.

very bad business.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 12:48 PM

To: JIM TEMPLE <jim@dententer.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

Jim,

Just FYI, the date of December 4th is due to the blower delivery times, not the approval time for the drawings.

I understand your frustration and agree with most of it. Let us know what you find out. Have you heard back from the engineer about ~~any fit problems with~~?

Adam

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 11:18 AM
To: JOHN JACKSON; ADAM MEYER
Subject: Re: TSI PR89541

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

JIM TEMPLE <jim@dententer.com>
To: ADAM MEYER <ADAMM@rae-corp.com>

Cc: JOHN JACKSON <JOHNJ@rae-corp.com> Document 14-4 Filed 04/01/2008 Page 13 of 25

so thats it, you have given up on getting the unit out on time.

when is the blower coming in?

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 1:29 PM

To: JERRY SALCHER JR <JERRYJR@rae-corp.com>

jerry,

we got this job based on making the 11-26 date or at least making every effort to make the date. do you know anything about this issue? we can't give up before we even started.

jim

[Quoted text hidden]

[Quoted text hidden]

JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 2:07 PM

To: JIM TEMPLE <jim@dententer.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>

Jim,

All of the [REDACTED] are scheduled to ship 11/17. They were among the first items ordered due to their long lead time. We are working with the manufacturer to improve this date. The [REDACTED] are scheduled ship 11/20, but we have talked to management [REDACTED] and they are doing what they can to improve their dates as well. I apologize for rushing you on approval, but we are anxious to do what ever we can to build these [REDACTED] as soon as possible. I hope to have the remainder of the drawing for you in the next hour. I just spoke with the guys they agree with the changes and are working as quickly as they can.

Thanks,
John Jackson

TSI

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 3:12 PM

To: JOHN JACKSON <JOHNJ@rae-corp.com>

the [REDACTED]s were added late and we are justified to put that on the customer if it is a problem. we can give them the choice of waiting for the unit or shipping loose at that time. the [REDACTED] is an issue but it is an independant section from the unit and we should get the rest built before it arrives.

[Quoted text hidden]

JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 3:33 PM

To: JIM TEMPLE <jim@dententer.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>

Jim,

Attached is a PDF with all drawings included.

Thanks,
John Jackson

TSI

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE

Sent: Tuesday, October 30, 2007 2:12 PM

[Quoted text hidden]

[Quoted text hidden]



89541 Drawings 10-30-07.pdf

1796K

JERRY SALCHER JR <JERRYJR@rae-corp.com>

Tue, Oct 30, 2007 at 4:33 PM

To: JIM TEMPLE <jim@dententer.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

Yes, we tried to push our vendor on the fans for an earlier ship date. They are full and have said 11/17 is the absolute best they can ship.

In addition, the 12/4 date is in jeopardy due to the hold up on the release from engineering. I do not know the details of dimension changes, but I do know I am losing critical production time that cannot be made up. So please, work this out with engineering and sales so we can get started.

Jerry

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 12:30 PM
To: JERRY SALCHER JR
Subject: Fwd: TSI PR89541

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com> **Tue, Oct 30, 2007 at 4:46 PM**
To: JERRY SALCHER JR <JERRYJR@rae-corp.com>
Cc: ADAM MEYER <ADAMM@rae-corp.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

engineering dropped this dimension bomb yesterday, i'm on it. if we can get the fans a week earlier, are we back on schedule?

[Quoted text hidden]

JERRY SALCHER JR <JERRYJR@rae-corp.com>
To: JIM TEMPLE <jim@dntenter.com>

Tue, Oct 30, 2007 at 5:20 PM

There is no chance of making 11/26. I have lost too much time. If we don't get started soon, I will not be able to make 12/4.

Jerry

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 3:46 PM

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

JIM TEMPLE <jim@dententer.com>

To: JERRY SALCHER JR <JERRYJR@rae-corp.com>

Tue, Oct 30, 2007 at 5:26 PM

i don't understand, what happened. was any effort made?

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

To: ERIC SWANK <ERICS@rae-corp.com>

Tue, Oct 30, 2007 at 5:30 PM

all the same players are involved on 200 5th and NYU 838 and our inability to produce shp drawings in four weeks was brought up at the 200 5th meeting. when we now miss the ship date, we are 0-2.

[Quoted text hidden]

JERRY SALCHER JR <JERRYJR@rae-corp.com>

To: JIM TEMPLE <jim@dententer.com>

Wed, Oct 31, 2007 at 1:02 PM

Jim,

I told you upfront that I could not commit to a ship date of 11/26, and that if making that date is a deal breaker, I would NOT commit to it. I told you we would try and do everything we could to make that date, but everything had to go perfect for us to have any chance. Our vendor on the 11/9 originally told us they could ship on 11/9, they have since moved their date to 11/16. We told them we had to have 11/9, but they said they can not ship until 11/26.

Also, you changed the order and sent in a revised PO on 10/11. At that time engineering was close to completing the drawings and the design work. The addition of the [REDACTED] on the revised PO stopped engineering from completing the design of the units. Engineering was working with the vendor [REDACTED] on the size of the [REDACTED] and how the addition of the [REDACTED] would affect our unit dimensions because of the change in pressure drops and velocities. Engineering then had to incorporate these changes into the design, as the addition of [REDACTED] did change the number of dampers required.

RAE Corporation has made every effort to ship this order by 11/26. Unfortunately, we were not able to make that date. The only date I have given a commitment to ship is 12/4, which is the date on our acknowledgement. And as I stated in my earlier e-mail, that date is in jeopardy due to us waiting for drawing approval.

Jerry

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>**Wed, Oct 31, 2007 at 2:02 PM****To: JERRY SALCHER JR <JERRYJR@rae-corp.com>**

jerry

the [REDACTED] were in the original design and they were removed. her is what i told adam when we added them back in:

see attached PO, revised to add the [REDACTED] back in. please order these right away but if they will hold the order up i want them shipped loose. if they are going to hold the order, please let me know as soon as you know.

engineering should not be able to throw an entire order off line because they [REDACTED] a couple of [REDACTED]s and [REDACTED] additionally, they have no excuse to take almost 3 weeks to make these small changes to the drawings. this whole operation is putting us in jeopardy on the 200 5th project; the common GC has lost confidence in us when he previously encouraged the owner to work with us.

i know that you did not guarantee the delivery as we didn't either, but you committed to put you best effort. 4 weeks for shop drawing is not TSI's best effort.

jim

[Quoted text hidden]

ERIC SWANK <ERICS@rae-corp.com>**Thu, Nov 1, 2007 at 9:36 AM****To: jim@dententer.com**

Jim,

You told me yesterday that this job wasn't causing a problem on 200 5th Ave?

Eric

From: JERRY SALCHER JR
Sent: Thursday, November 01, 2007 7:47 AM
To: ERIC SWANK
Subject: FW: TSI PR89541

FYI

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Wednesday, October 31, 2007 1:03 PM

[Quoted text hidden]

To: ERIC SWANK <ERICS@rae-corp.com>

Case 1:07-cv-08661-LLS Document 14-4 Filed 04/01/2008 Page 18 of 25

the possible cancelation will not cause us a problem of any kind.

i told you yesterday taht the GC mentioned our delayed shop drawings at a meeting. i may have made more of the situation because i didn't feel like we tried to make the requested ship date and if the decision on 200 5th does drag past 11-26 (the requested date for NYU 838), it will cause a problem. luckily, i expect a decision before then.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Fri, Nov 2, 2007 at 11:57 AM

To: JIM TEMPLE <jim@dententer.com>

Cc: JERRY SALCHER JR <JERRYJR@rae-corp.com>, ERIC SWANK <ERICS@rae-corp.com>

Jim,

Re: louvers,

I understand that the louvers were in the original design; however, you know that we do not fully design the metal and modeling of our units until after production release. The difficulties caused by adding the louvers extended to the placement and opening size of the dampers. Without the louvers, velocities were sized for the type ~~unit~~. With the louvers, we cannot use more ~~unit~~. This changed the framing of the openings and changed the sheet metal design for the units in that section which had to be revised for fit.

Re: difference in size,

You can also understand that when we quoted the project, we were moving very quickly to generate a rough layout drawing based on our catalog dimensions. Once production began, my intent was to reduce production time as much as possible by reducing size and using a more efficient use of space. The decreased length was due to rotating the ~~unit~~ (which we discussed), and by ~~unit~~ which we could not ~~unit~~ until the unit was fully designed. ~~unit~~ We also changed both unit sizes to the same footprint in order to again reduce time required and decrease production time.

Per your original note, if the delivery of ~~unit~~ affect the ship date, they will be shipped loose. Because of this, I do not believe they will affect the ship date; however they did affect the time required for you to get your drawings.

Adam Meyer

Account Manager - RAE Corporation

JIM TEMPLE <jim@dententer.com>

Fri, Nov 2, 2007 at 12:14 PM

To: ADAM MEYER <ADAMM@rae-corp.com>

Cc: JERRY SALCHER JR <JERRYJR@rae-corp.com>, ERIC SWANK <ERICS@rae-corp.com>

ease up with these long winded e-mails. the bottom line is 4.5 weeks is a long time for shop drawings. or if you claim ~~the design~~ changed the whole design, 3 weeks from when ~~the design~~ were added back in is still a long time for a job with a required urgency.

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Fri, Nov 9, 2007 at 5:25 PM

To: JOHN JACKSON <JOHNJ@rae-corp.com>

please send ~~the fan curves and were the cons released according to my fan selection~~ dated 9-4. if not send the ~~new fan curves~~.

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

To: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 9:54 AM

adam,

please quote the attached chiller. there are [REDACTED] with one central control panel. i need this quote today. we must be competitive with [REDACTED] and [REDACTED].

jim

2 attachments**KMBT25020071026154113.pdf**

77K

**200 5TH - CIPRIANI water cooled chiller 410a.doc**

31K

ADAM MEYER <ADAMM@rae-corp.com>

To: JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 10:13 AM

I will not be able to quote this today.

Also, I doubt I will be competitive in direct competition with [REDACTED].

Thanks,

Adam

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE**Sent:** Tuesday, October 30, 2007 8:55 AM**To:** ADAM MEYER**Subject:** cipriani - 200 5th

adam,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

jim

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 10:21 AM

To: ADAM MEYER <ADAMM@rae-corp.com>

amerada hess had 5 [REDACTED] modules that all split into [REDACTED] modules. can i take half of the hess price. i don't want the [REDACTED] electronic expansion [REDACTED], that should more than cover the change to [REDACTED] which is really very little.

Jim

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 3:16 PM

To: ADAM MEYER <ADAMM@rae-corp.com>

as per our conversation we will carry [REDACTED] the short notice, but i would like you to tighten your number as half of hess [REDACTED] for the panel is [REDACTED]. the components are the same minus the [REDACTED] plus the [REDACTED] components; a wash in your favor.

jim

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 3:27 PM

To: ADAM MEYER <ADAMM@rae-corp.com>

correction hess was [REDACTED], half + \$9,500 is only [REDACTED] you are 25% high from before.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 4:12 PM

To: JIM TEMPLE <jim@dententer.com>

Hold tight. I am running some numbers.

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Case 1:07-cv-08661-JLS Document 14-4 Filed 04/01/2008 Page 22 of 25

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 2:28 PM
To: ADAM MEYER
Subject: Re: cipriani - 200 5th

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>
To: JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 5:36 PM

(5) [REDACTED] \$122,000 Net + freight

Performance per the attached form from you.

Control panel will be mounted on the chiller slide or remote mounted. Terms and conditions are attached.

Thanks,

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE
Sent: Tuesday, October 30, 2007 2:28 PM
To: ADAM MEYER
Subject: Re: cipriani - 200 5th

[Quoted text hidden]

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40rae...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40rae-corp.com)to%3A(jjtemple@gmail.com)subject%3A(cipriani-2005th)) 3/13/2008



JIM TEMPLE <jim@dententer.com>

Tue, Oct 30, 2007 at 5:43 PM

To: ADAM MEYER <ADAMM@rae-corp.com>, ERIC SWANK <ERICS@rae-corp.com>

as per our conversation, your price is \$422,000.

thanks for making me wait 2 hours and miss the bid to have an unjustified price \$20,000 and 20% high than the same job we just did.

how do you expect us to close jobs when you raise prices with no rhyme or reason? (5) 34401200s from the catalog are \$85K. we switch from ch and tubes to brazed plates and to price nearly doubles. it was high when you added 50% to the standard price, 87% is just absurd. please explain the motive behind this new price structure.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Wed, Oct 31, 2007 at 2:23 PM

To: JIM TEMPLE <jim@dententer.com>

Cc: ERIC SWANK <ERICS@rae-corp.com>

Confirming our phone conversation the price for what you had requested is \$422,000.00. This is higher than the project (Amerada Hess) we just completed and shipped for you, but you did request changes to that design and you left me with little to no time to respond...essentially demanding same day if not within the same hour quote.

I do my very best to accommodate any urgent request you send me but it is at the sacrifice of our representatives that send in inquiries with an adequate timeframe in which to respond. With that said, the differences you requested entail a design change from 5-02 to 410A. The operating pressures are significantly higher and will force changes to our valve selections and piping design. This costs more! In addition, the Amerada Hess project had (4) controllers for (20) compressors, this project would have (1) controller for (10) compressors. This also contributes to the perception that costs have increased.

We do not raise prices without reason. You did not request 34401200s, you requested a custom piece of equipment. If you can sell our standard (34401200) unit out of the catalog the price is as you indicate... approximately \$65K. Be advised it is not the same configuration nor is it designed for the 410A refrigerant nor is it the same in configuration and dimensions.

When we are chasing other company's specifications in lieu of being the basis of design you put us in the position of matching another company's layout and designs. Perhaps you need to work on design basis in lieu of chasing work laid out by Others.

Desk: (918) 825-7222

Cell: (918) 384-9602

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE**Sent:** Tuesday, October 30, 2007 4:44 PM**To:** ADAM MEYER; ERIC SWANK**Subject:** Re: cipriani - 200 5th

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>**Wed, Oct 31, 2007 at 3:03 PM****To:** ADAM MEYER <ADAMM@rae-corp.com>**Cc:** ERIC SWANK <ERICS@rae-corp.com>

i designed the job on friday and discussed the options with you at that time. i'll send you the spec if you would like. the contractor was originally getting quotes from [REDACTED] and [REDACTED] as a direct replacement, no engineer. when the contractor was having trouble, the engineer was brought on and he specified us. not specified by Others, but i did let you know that Others will be involved.

As far as the price of R-110a vs R-22, florida heat pump has an entire catalog of R-22 and R-110a equal products and the prices are nearly identical.

i wish i had the power to control the NY market enough to slow them down for you. when we design a job that is bid two business days later, we are stuck moving fast.

either way, lets not waste too much time on this, your 10-12 week lead time doesn't work with the project. i will know for sure in 24hrs.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>**Fri, Nov 2, 2007 at 1:13 PM****To:** JIM TEMPLE <jim@dententer.com>**Cc:** ERIC SWANK <ERICS@rae-corp.com>

When you are put into a position of responding in the below mentioned time frame to your customer it will, in most cases, reduce cost and improve lead times if we can use our standard product offering.

I can not comment to what other companies do with their product offering in terms of changes in refrigerant. We do not have a cataloged R-110a product perhaps the costing will be comparable to the R-22 offering once we have completed the engineering and cataloged the equipment but until that time you should anticipate

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

From: jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE

Sent: Wednesday, October 31, 2007 2:03 PM

To: ADAM MEYER

Cc: ERIC SWANK

[Quoted text hidden]

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Fri, Nov 2, 2007 at 8:13 PM

To: ADAM MEYER <ADAMM@rae-corp.com>

Cc: ERIC SWANK <ERICS@rae-corp.com>

i beleive they are awarding it monday or tuesday. feedback i got is our price is high. now you have more time, can you sharpen your number and i will try to sway them on monday.

[Quoted text hidden]

JIM TEMPLE <jim@dententer.com>

Mon, Dec 3, 2007 at 1:18 PM

To: "DNTENTER@aol.com" <dententer@aol.com>

----- Forwarded message -----

From: JIM TEMPLE <jim@dententer.com>

Date: Oct 30, 2007 4:43 PM

Subject: Re: cipriani - 200 5th

[Quoted text hidden]

[Quoted text hidden]